

17414 U.S. PTO  
09/23/03

"Express Mail" mailing label number EV 314840697 US

Date of Deposit September 23, 2003.

**REQUEST FOR FILING A CONTINUING PATENT APPLICATION UNDER 37 CFR § 1.53(b)(1)**

Case No.	ANTICIPATED CLASSIFICATION OF THIS APPLICATION		PRIOR APPLICATION EXAMINER	ART UNIT
9763/8	CLASS	SUBCLASS	Craig Steven Miller	2857

Address to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

This is a request for filing a ☐ continuation ☒ divisional application under 37 CFR § 1.53(b)(1), of pending prior application number 09/414,456, filed on October 7, 1999, entitled SYSTEM FOR DETECTING A SURFACE CONTOUR OF THE HUMAN FOOT.

- ☒ Copy Of the Prior application, including 14 sheets of drawings, 82 pages of Application (including title page), and the following Appendices None.
- ☒ Copy of the Declaration filed in the Prior application.
- ☒ PTO Form 1449 and Information Disclosure Statement.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	27 - 20 =	7	x \$ 18 =	\$126
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	6 - 3 =	3	x \$ 84 =	\$252
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$280 =	\$ 0
				BASIC FEE (37 CFR 1.16(a))	\$ 750
				Total of above Calculations =	\$1128
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28)				\$564
				TOTAL =	\$564

- ☒ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27  
☐ is enclosed.  
☒ was filed in prior application number 09/414,456 and such status is still proper and desired (37 CFR 1.28(a)).
- ☒ The Commissioner is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ Enclosed is a check for \$ 564.00 to cover the filing fees.
- ☒ Enter the attached preliminary amendment before calculating the filing fee. (At least one original independent claim is retained for filing purposes).
- ☒ The inventor(s) of the invention being claimed in this application are: Joel W. Benson and John T. Wellehan.
- ☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 CFR 1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application: \_\_\_\_\_.
- ☒ Amend the specification by inserting before the first line a notice that is stated in the attached Preliminary Amendment to refer to the prior co-pending U.S. application number 09/414,456, filed October 7, 1999, which is incorporated by reference in this divisional application.

Rev. Oct.-01


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11. ☒ New formal drawings (14 sheets) are enclosed.
12. ☐ Priority of foreign application number \_\_\_\_\_, filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. 119.  
☐ The certified copy has been filed in prior application number \_\_\_\_\_, filed \_\_\_\_\_.
13. ☒ A preliminary amendment is enclosed.
14. ☐ The prior application is assigned of record to \_\_\_\_\_.
15. ☐ Also enclosed: \_\_\_\_\_.
16. ☒ The power of attorney in the prior application is to: Joel W. Benson and other attorneys at the firm of BRINKS HOFFER GILSON & LIONE.
- a. ☐ The power appears in the original papers in the prior application.
- b. ☒ Since the power does not appear in the original papers, a copy of the power for the prior application and this divisional application is enclosed.
- c. ☒ Address all future correspondence to: (may only be completed by applicant, or attorney or agent of record.)

September 23, 2003  
Date

Joel W. Benson  
BRINKS HOFFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, IL 60610  
(312)321-4200

  
Signature  
Name: Joel W. Benson  
Reg. No. 29,002

- ☐ Inventor(s)  
☐ Assignee of complete interest  
☒ Attorney or agent of record  
☐ Filed under 37 CFR 1.34(a)  
Registration Number if acting under 37 CFR 1.34(a): \_\_\_\_\_.